



Flathead Conservation District
133 Interstate Lane, Kalispell, MT 59901
www.flatheadcd.org 406-752-4220

CALL TO ORDER & ATTENDANCE

Chair Ronald Buentemeier called the October 9, 2018, 310-Stream Permit meeting to order at 7:00 P.M. in the conference room.

Board members present:

Ronald Buentemeier, Chairman; Pete Woll, Vice Chairman; Dean Sirucek, Secretary/Treasurer; Verdell Jackson, Supervisor; Lori Curtis, Supervisor, being a quorum of the Board.

Board members absent: John Ellis, Supervisor; Mark Siderius, Supervisor; Dan Brosten; Associate Supervisor. Absences are excused.

Also in attendance were: Valerie Kurth, Hailey Graf and Ginger Kauffman, FCD staff; Thomas Fontenoy; Ken Miller; Steven Knoll; Cameron Wohlschlegel, F.H. Stoltze L&L; William Boyd; Holly McKenzie; Tonia Gardner; Tyler Apgar; Brad Bennett; Don Murray.

MINUTES

A correction was made on Page 5. Lori Curtis motioned "to approve the minutes of the 9/24/2018 business meeting as amended." Verdell Jackson seconded. Motion carried unanimously.

CORRESPONDENCE

1. Email: National Association of Conservation Districts (NACD)
Publications:
NACD eResource, NACD Annual Meeting Information, Conservation Clips,
<https://www.nacdnet.org>
Other:
The National Conservation Foundation (NCF) and the National Association of Conservation Districts (NACD) launched the [Next Generation Leadership Campaign](#) is raising funds (deadline Dec. 31, 2018) to create an endowed fund for leadership development to cultivate future leaders in the conservation district community.
 2. Email: Flathead Audubon newsletter *Pileated Post* www.FlatheadAudubon.org
 3. Email: Upper Columbia Conservation Commission (UC3) 2018-2019 Report
<http://dnrc.mt.gov/divisions/cardd/montana-invasive-species-program/uc3>
 4. Email: The Upper and Lower Musselshell Conservation Districts are hosting a Soil Health Workshop, October 10 10:00 A.M., Ryegate, MT.
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- Contact Cheryl Miller 406-632-5534 ext. 101 Cheryl.miller@mt.nacdnet.net
5. Email: Ranching for Profit workshop, October 23, in Big Timber
<https://www.westernsustainabilityexchange.org/events/todaysranch>
 6. Email: Montana Watershed Coordination Council newsletter *Watershed News*
<https://mtwatersheds.org/app>
 7. Email: City of Whitefish Planning Board meeting Thursday, 10/18/18, 6:00 P.M., Whitefish City Council Chambers.
 8. Montana Dept. of Agriculture notice:
 - Research, Education & Development, and Local Cooperative grants.
Administrative costs up to 3% of the grant amount, or up to \$1,000, are available for Local Cooperative project coordinators that have not received a Special County/Reservation Grant. Applications are due January 6th, 2019.
 - Emergency grants. These grants provide assistance for herbicide control and/or revegetation efforts in areas that have suffered extreme drought or fire this summer. Contact Jasmine Reimer or Dave Burch for more information. Applications are due November 1, 2018.
 - FY19 Special County/Reservation grant applications due November 1, 2018. Requirements for approval.
* County Noxious Weed Plans must be submitted by December 31st, 2018.
* Final status reports for FY18 Special County/Reservation grant must be approved (due November 30, 2018).
All grant applications and instructions can be found at www.fundingmt.org.
 - Noxious Weed Grant Writing Workshop, November 13, 10:00 A.M. – 3:00 P.M., Lewistown. This event will cover all aspects of applying for a Noxious Weed Trust Fund grant including completing an environmental assessment. Participants will also learn what to do after a project has been awarded: submitting reports, reimbursements, and using EDDMapS. Contact Jasmine Reimer, NWTF Grant Coordinator, Montana Department of Agriculture, Office: 406-444-7882, jreimer@mt.gov
 9. Email: Leadership Flathead Workshop, Wednesday, October 24, 8:30 A.M. – 12:30 P.M., Ninepipes Lodge, Charlo. Cost \$20/person. Contact Heidi Fleury 406-217-6959
lakecountycd@ronan.net
 10. Email: Petroleum CD newsletter
http://petroleumcd.com/wp-content/uploads/sites/47/2018/10/Sept_2018.pdf
 11. Email: University of Montana Climate Office announces
Soil Moisture Education Workshops http://climate.umt.edu/sm_workshops
Two full-day workshops focusing on soil moisture measurement, technologies, and applications supporting agricultural management and drought resilience.
Wednesday, Nov 7, Lubrecht Experimental Forest Conference Center, 38689 MT-200, Greenough, MT
Friday, Nov 9, Stillwater County Pavilion, 328 E. 5th Ave, Columbus, MT
Both workshops will run from 9AM until 4PM.
Registration Required: <https://goo.gl/forms/ICObR18y00f6IFav2>
No charge to attend, lunch will be provided. Topics to be covered: Why measure soil moisture? How does water move through soil? How to measure soil moisture. Applications of soil moisture measurements. Soil moisture data from the Montana



- Mesonet. Field demonstrations from technology representatives. Breakout discussions of producer and manager needs. Open to everyone interested in Soil and Water Management.
12. Email: Little Beaver and Custer county CD's announce a 310-Workshop for Supervisors and CD Staff, October 25, 10AM – 2:30 PM, USDA Building, 3120 Valley Drive East, Miles City. Contact Sarafina Claeys 406-778-2217, Ext. 111 or Carol Watts 406-232-7905, Ext. 3242 by October 22nd.
 13. Email: Soil & Water Conservation District (SWCD) October 3, 2018 issue of *The Montana Conservationist* includes:
 - * **“Is glyphosate killing bees?”** New research from The University of Texas at Austin shows that **honey bees exposed to glyphosate, the active ingredient in Roundup, lose some of the beneficial bacteria in their guts** and are **more susceptible to infection and death from harmful bacteria.**
 - * **Adding More Forage and Reducing Hay Feeding: How a Montana Rancher Did It.** See these articles and more: <https://swcdm.org>
 14. Email: Lewis & Clark CD newsletter *The Explorer* www.lccd.mt.nacdn.net www.facebook.com/lewisandclarkcd
 15. Email: Montana Weed Control announces the Eastern MT Weed Board Training, Thursday, October 25, 1:00 P.M – 5:00 P.M., Cottonwood Inn, Glasgow. Cost \$10, lunch will be provided. www.mtweed.org Contact Becky Kington becky@mtweed.org 406-684-5590

FINANCIAL

The following bills were reviewed:

1. Byte Savvy \$55.00
2. Flathead Beacon \$528.00
3. Montana Sky Networks \$20.00
4. Mountain States Leasing \$1545.56
5. Mountain Trader \$80.00

Pete Woll motioned “to approve the bills as presented.” Lori Curtis seconded. Motion carried unanimously.

PUBLIC COMMENT

Don Murray stated today he filed a complaint against David Stalowy on behalf of his clients, Jay & Catherine Winslow. Stalowy was given permission to reconstruct the walkway across Beaver Lake; however, he is installing it in a very different manner from the way it existed previously. The complaint contains photos of what he is building, which is far more substantial than what originally existed. Ronald Buentemeier stated this is not on the meeting agenda, so we will follow our standard procedure for handling complaints at the next 310 meeting. Leo Rosenthal asked if the walkway and the repair of it were part of the after-the-fact permit and if a Work Completion Form had been submitted. Ronald stated Mr. Stalowy requested an extension for the walkway as the water had not gone down enough to do the work, and he still has an active permit.



Brad Bennett, Applied Water, stated he was just recently contacted by TB River Farms LLC for a project, but it was too late to submit the application before this meeting. Brad asked if the board would consider scheduling an onsite inspection now so the application could be voted on at the November 310-meeting. He explained that the project is for a pump site installation on Stillwater River. The landowner currently has a centrifugal pump on a raft and needs a more permanent pump site. They want to do the work in November or December during low water. An onsite inspection was set for Tuesday, October 16, 9:30 A.M. at the site. Brad submitted the application to FCD staff at the meeting. Application #FL2018065, Stillwater River, TB River Farms LLC.

310

Bonnell, FL2018056, Potter Creek, bridge/bank stabilization: Verdell Jackson stated the project is to replace an old bridge for hauling logs. A second bridge was built over the original, but both are in poor condition. They will remove both existing bridges and put in a new bridge approximately 35 feet long. Kenny Breidinger added that the new bridge will be higher than the original and drain dips will be included. Verdell reviewed the considerations in the Team Member Report. Cameron Wohlschlegel, FH Stoltze L&L, stated he would like to have the option of substituting concrete for the log abutments if they choose. Concrete would make it more permanent and durable. Kenny stated that he had no problem with that modification. Verdell Jackson motioned "to approve the application with the modifications to have the flexibility to use concrete abutments if they choose to do so." Dean Sirucek seconded. Motion carried unanimously.

Boyd, FL2018040C, Nine Mile Creek, complaint: Ronald Buentemeier stated the onsite was held with Boyd and Pheifer. Very little water is entering or leaving the lake; both amounts are approximately equal. The dam appears to be an old structure made by beavers and humans. Ronald Buentemeier motioned "this is not a violation." Pete Woll seconded. Motion carried unanimously.

Boyd, FL2018041C, Nine Mile Creek, complaint: Ronald Buentemeier stated that this complaint is in the same location as FL2018040C. As previously stated, very little water is entering or exiting the lake, and both amounts are approximately equal. Ronald Buentemeier motioned "this is not a violation." Lori Curtis seconded. Motion carried unanimously. Mr. Boyd stated he appreciated the board's time & effort.

Coit, FL2018061, Flathead River, bank stabilization: An onsite inspection was scheduled for Wednesday, October 17, 1:20 P.M. at the site.

FH Stoltze L&L, FL2018046E, Third Creek, notice of emergency: Ronald Buentemeier stated the notice of emergency was to replace a bridge. The new bridge is adequate for the site. Lori Curtis agreed. Ronald Buentemeier motioned "to approve the notice of emergency." Lori Curtis seconded. Motion carried unanimously.

FH Stoltze L&L, FL2018047E, Second Creek, notice of emergency: Ronald Buentemeier stated the notice of emergency was to replace a bridge that a truck went through. Lori Curtis noted that both of the bridges were on secondary evacuation routes from Big



Mountain. Dean Sirucek asked if only the deck was replaced. Ronald responded that the entire bridge was replaced. Ronald Buentemeier “motioned to approve the notice of emergency.” Lori Curtis seconded. Motion carried unanimously.

FH Stoltze L&L, FL2018051, Haskill Creek, bridge/bank stabilization: Ronald Buentemeier stated the application is for a bridge replacement using log and concrete abutments. Lori Curtis reviewed the considerations in the Team Member Report. Ronald Buentemeier motioned “to approve the application as submitted.” Dean Sirucek seconded. Motion carried unanimously. Cameron Wohlschlegel noted that they plan to use concrete Jersey barrier instead of pre-cast concrete blocks for the bridge abutments.

FH Stoltze L&L, FL2018052, First Creek, bridge/bank stabilization: Ronald Buentemeier stated this application is to completely replace a bridge using Jersey guardrail for the concrete abutments. Lori Curtis reviewed the considerations in the Team Member Report. Ronald Buentemeier motioned “to approve the application as submitted.” Lori Curtis seconded. Motion carried unanimously.

Gardner, FL2018045C, Whitefish River, complaint: Ronald Buentemeier explained the complaint procedure to the landowners. An onsite inspection was scheduled for Monday, October 15, 8:35 A.M. at the site

Gilbert, FL2018049C, Bales Creek, complaint: A complaint response has not been received yet. Dean Sirucek motioned “to table.” Pete Woll seconded. Motion carried unanimously.

Hale, FL2018060, Bowser Spring Creek, flood protection/fill: An onsite inspection was scheduled for Tuesday, October 16, 10:45 A.M. at the site.

Isackson Family Trust, FL2018063, Unnamed, catch basin: Lori Curtis explained that the project is to do a capture and redistribution of seasonal groundwater on a county easement on the northwest side of Whitefish Lake. Ronald Buentemeier asked if it was on county property. Lori responded that the application said it is. Ronald said that it was fine to do the onsite, but we should make sure it is 310 jurisdiction and not 124. Thomas Fotenoy stated he asked the County about it first and was directed to come to the District for a 310 permit. Ronald explained that Fish, Wildlife & Parks has jurisdiction over county property, but it would be ok if Kenny Breidinger agreed to it. Kenny agreed that since the majority of the project area was on private property, it would be fine to do a 310 permit. Leo Rosenthal added that since a private party is doing the project, then it is a 310, regardless of the landowner. An onsite inspection was scheduled for Wednesday October 17, 8:30 A.M. at the site.

J&J Ranch/Shockey, FL2018057C, Haskill Creek, complaint: A complaint response has not been received yet. Lori Curtis motioned “to table until a response is received.” Pete Woll seconded. Motion carried unanimously.

Juno, FL2018034C, Walker Creek, complaint. The complaint was tabled at the last 310 meeting waiting for the Work Completion form for permit FL2018038. Ronald Buentemeier



motioned “to table until the next 310-meeting.” Pete Woll seconded. Motion carried unanimously.

Lackey, FL2018053, Tacklin Creek, utilities: Dean Sirucek stated this is an application for a utility line excavation under the stream. The stream is small, but the soils are highly erosive. Dean reviewed the considerations in the Team Member Report, and he noted the modification to bury the power line at a minimum depth of 4 feet. Dean Sirucek motioned “to approve the application with modifications. The 15-day waiting period is waived.” Lori Curtis seconded. Motion carried unanimously.

Ronald Buentemeier asked how much water is running at the site, and how will they deal with the water when they dig. Dean responded that there is about 6 inches of water and the stream is 3 feet wide. Kenny Breidinger noted they will temporarily divert the water with a hose during the excavation.

Morton, FL2018044C, Whitefish River, complaint: Lori Curtis stated she is taking this for John Ellis. The complaint is for a path along Whitefish River. An onsite inspection was scheduled for Wednesday October 17, 10:00 A.M. at the site.

PacifiCorp Hydro Resources, FL2018062, Swan River, core drill: Pete Woll stated this is a boring project at Bigfork Dam on Swan River. Ken Miller stated that the Federal Energy Regulatory Commission is requiring dam owners to do geotechnical borings to see what the subsurface material is underneath the dam abutments. The dam was constructed in the late 1800s, so there is not a lot of information about what is below it. The plan is to use a small barge on the reservoir during low water. A geotechnical drill will be placed on the barge and it will drive a steel casing that will bring up samples for analysis. The bore hole will be back-filled and the casing will be removed. Up to 4 borings will be done in the reservoir upstream of the dam, and additional boring will be done on the abutments, which is outside of the floodplain. Pete showed drawings from the application that show where the borings will occur. He and Leo Rosenthal agreed that an onsite inspection was not needed. Pete asked about the 318 Authorization. Leo Rosenthal asked if there would be turbidity generated from this project. Kenny said it would be minimal. Leo said he could issue the 318, but he wondered if the soil could be destabilized from this activity. Kenny explained that the information they have suggests it is all rock, not soil, underneath the dam. Pete Woll motioned “to approve the application as proposed.” Dean Sirucek seconded. Motion carried unanimously. Fish Wildlife & Parks waived the onsite inspection.

Trippet, FL2018048, Flathead River, bank stabilization: Dean Sirucek stated this is for a small riprap project that is approximately 25 feet long and adjacent to the Holt bridge site. Dean reviewed the considerations in the Team Member Report. Dean Sirucek motioned “to approve the application with modifications.” Pete Woll seconded. Motion carried unanimously.



NEW BUSINESS

Staff Training: Valerie Kurth reported Lake County Conservation District is offering a Clifton Strengths Finder workshop through Leadership Flathead Reservation for Area V employees. The cost is \$20 per person. Lori Curtis motioned “to approve staff attending the Workshop.” Pete Woll seconded. Motion carried unanimously.

Emergency & 310 Report forms: Valerie Kurth stated she and Ronald Buentemeier had discussed ways to improve the inspection forms for 310 notices of emergency and complaints. The law specifies that the team inspects the notice of emergency, but our form did not provide enough spaces for the team members’ signatures. Similarly, the law does not provide for a team for complaints, yet our form refers to the team. Valerie re-did the forms to comply with the law. In addition, we typically send two supervisors to inspect emergencies and complaints, but this is not specified in our rules. Ronald recommended a policy change so that two supervisors would go on emergency and complaint inspections. Lori Curtis motioned “to accept the 310 emergency and complaint proposed policies and the forms that go with them.” Dean Sirucek seconded. Motion carried unanimously.

MATTERS OF THE BOARD/STAFF

310 Work Session: Valerie Kurth stated this idea resulted from our discussions on the Adopted Rules. The board discussed possible dates for the session. They chose November 28th as the first choice and November 27th as the second, 9:00 A.M. Valerie will confirm.

Revised Joint Application: Valerie Kurth gave copies of the revised Joint Application to the supervisors and asked them to review it and submit any comments to her, so she can forward them to the statewide committee.

310 Check List: Valerie Kurth explained that the check list was developed for the 310 files, which allows staff to easily see the status of a 310 application, emergency, or complaint. Supervisors are also provided with the checklist. Valerie asked if the supervisors used them or wanted to continue receiving them. Lori Curtis stated she uses it to track where an application is in the process, but more when she was a new supervisor. Other supervisors do not use it, so we will discontinue including it with the supervisor 310 packets.

MACD Convention: Valerie Kurth stated there are three auctions at Convention, and we have secured donations for two of them. Gina Kurzman, an NRCS employee, has a sister who is a successful author of western novels, and she will donate a signed book. A western-themed wooden sign is also being donated by Route 56 Designs. All that remains is a \$25 donation (from supervisors) for Area V gift, which Heidi Fleury from Lake County CD will arrange. MACD is selling raffle tickets for \$10 each. They are also requesting districts to submit 2-3 historic photos that depict conservation practices to display at convention.



The next business meeting is scheduled for Monday, October 22, 2018, 7:00 P.M. in the conference room of the USDA building at 133 Interstate Lane, Kalispell, MT.

Adjournment: Lori Curtis motioned “to adjourn.” Dean Sirucek seconded. Motion carried unanimously. As there was no further business, the meeting was adjourned at 8:30 P.M.

Submitted By:

Ginger Kauffman
Administrator

Valerie Kurth, Ph. D.
Resource Conservationist

Minutes approved by FCD Board motion made on:

<u>10/22/2018</u>	<u>Ronald Buentemeier</u>	<u>Chair</u>
(Date)	(Signature)	(Title – Chair etc.)

